

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 26, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-22322 - APPLICANT: LAMAR ADVERTISING - OWNER: CHARWEST, INC.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1/ds vote) recommends APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. The applicant shall clean the Off-Premise Advertising (Billboard) Sign of all bird droppings within 30 days of final approval.
6. The applicant shall remove the razor wire on the Off-Premise Advertising (Billboard) Sign within 30 days of final approval.
7. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Two Year Review of an approved Special Use Permit (U-0262-94) which allowed a 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 4820 West Charleston Boulevard.

This is the fourth review of the subject Off-Premise Advertising (Billboard) Sign. The Off-Premise Advertising (Billboard) Sign does not have a final inspection on the original building permit. It is also noted that a site inspection conducted on 06/25/07 showed that the Off-Premise Advertising (Billboard) Sign contains bird droppings, and razor wire. Conditions of approval have been added to address these issues. Due to the failure to comply with Code requirements, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/94	The City Council approved a request for a Special Use Permit (U-0262-94) for a 40-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign, subject to a five-year review. The Board of Zoning Adjustment recommended denial. Staff recommended approval.
02/16/00	The City Council approved a request for a Five-Year Review [U-0262-94(1)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign, subject to a two-year review. The Planning Commission and staff recommended approval.
04/03/02	The City Council approved a request for a Two-Year Review [U-0262-94(2)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign, subject to a two-year review. The Planning Commission and staff recommended approval.
07/07/04	The City Council approved a request for a Two-Year Review (RQR-4240) on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign, subject to a three-year review. The Planning Commission and staff recommended approval.
07/26/07	The Planning Commission voted 4-1/ds to recommend APPROVAL (PC Agenda Item #39/ng).
<i>Related Building Permits/Business Licenses</i>	
01/13/95	A building permit (#95363554) was issued for the subject sign. The permit expired on 08/05/95. A final inspection was not conducted.
02/10/95	A building permit (#95366744) was issued for the electrical service to the subject sign. The electrical permit received a final inspection on 03/17/95.

<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Field Check</i>	
06/25/07	A site inspection was conducted and photographs were taken.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.70

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	GC (General Commercial)	C-2 (General Commercial)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
East	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
West	Commercial	GC (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175-foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	<i>Code Requirement</i>	<i>Provided</i>	<i>Compliance</i>
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not Located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-2 (General Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	465 feet to another Off Premise Sign	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	437 feet from "R" zoned property to the north.	Y

Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y
-------	---	--	---

ANALYSIS

This is the fourth review of the subject Off-Premise Advertising (Billboard) Sign. The Off-Premise Advertising (Billboard) Sign does not have a final inspection on the original building permit. It is also noted that a site inspection conducted on 06/25/07 showed that the Off-Premise Advertising (Billboard) Sign contains bird droppings, and razor wire. Conditions of approval have been added to address these issues.

The Off-Premise Advertising (Billboard) Sign is located on a property that is used as a car wash. The Off-Premise Advertising (Billboard) Sign faces Charleston Boulevard a 100-foot Primary Arterial. The area is primarily commercial in nature with the nearest residential uses buffered by right-of-way and commercial development.

FINDINGS

The subject Off-Premise Advertising (Billboard) Sign fails to meet all Code requirements. There has not been a final inspection on the building permit, the sign contains bird droppings and razor wire. Due to the failure to comply with Code requirements, denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 134 by City Clerk

APPROVALS 0

PROTESTS 0